82D CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
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JAI YOUNG LEE

JUNE 19, 1951.—Committed to the Committee of the Whole House and ordered to be printed

Mr. FELLOWS, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2292]

The Committee on the Judiciary to whom was referred the bill (H. R. 2292) for the relief of Jai Young Lee, having considered the same, report favorably thereon with amendments and recommend that the bill, as amended, do pass.

The amendments are as follows:

On line 6, after the words "stepchild of" insert the name "Frank Lee,".

On line 7, after the words "World War II" change the comma to a period and strike out the remainder of the bill, inserting in lieu thereof the following:

For the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the said Jai Young Lee shall be held and considered to be the natural-born alien child of the said Frank Lee.

PURPOSE OF THE BILL

The purpose of this bill, as amended, is to facilitate the admission into this country of the Korean stepchild of an honorably discharged veteran of World War II.

GENERAL INFORMATION

The pertinent facts in this case are contained in a letter, dated November 9, 1950, from the Deputy Attorney General to the chairman of the Committee on the Judiciary, regarding a bill (H. R. 8302) then pending for the relief of the same child. The letter reads as follows:

NOVEMBER 9, 1950.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice with respect to the bill (H. R. 8302) for the relief of Jai Young Lee, an alien.

The bill would provide that, in the administration of the immigration laws, the provisions of section 13 (c) of the Immigration Act of May 26, 1924, as amended, shall not apply to Jai Young Lee, the Korean stepchild of an honorably discharged veteran of World War II, and that, if otherwise admissible under the immigration laws, she shall be granted admission into the United States as a nonquota immigrant for permanent residence.

The files of the Immigration and Naturalization Service of this Department disclose that the young alien is a native and citizen of Korea; that she is about 12 years of age, and is the stepdaughter of Frank Lee, and the daughter of his wife by a previous marriage. The child's mother was married to Mr. Lee on August 16, 1947, at Seoul, Korea, and was admitted to the United States on October 8, 1948, under Public Law 271, as the wife of an honorably discharged veteran of the Second World War. After Mrs. Lee's entry into the United States the alien child was being cared for by her maternal grandparents until the death of her grandmother on December 13, 1949, since which time she has been cared for by her grandfather.

Mr. Lee has stated that he is a native of Korea; that he entered the United States on January 23, 1929, as a student under section 4 (e) of the Immigration Act of 1924; that he was admitted into the United States Army on February 15, 1945; that from 1941 to February 15, 1945, he had served with the Office of Strategic Services in a civilian capacity; that from February 15, 1945, until his discharge from the United States Armed Forces on December 16, 1945, he continued to serve with the Office of Strategic Services as an enlisted man and that his duties were of a confidential nature, he being employed behind the enemy lines. Further Mr. Lee stated that he is presently employed by a Mr. F. Taylor, at Watertown, N. Y., as a research analyst in the study of soybean production, at a salary of approximately $4,500 a year; that he has stocks, bonds, and insurance totaling about $15,000; and that he is desirous of bringing the child to this country. The record indicates that Mr. Lee was naturalized on March 25, 1945, in the United States District Court, at Washington, D. C., under section 701 of the Nationality Act of 1940.

Mrs. Lee has stated that she is a native and citizen of Korea and that if it is not possible to bring her young daughter to this country, she will have to return to Korea to care for her. Mrs. Lee also stated that she is the daughter of a former governor of Korea, and that during the occupation of Korea by the American military authorities, she was employed as a chief of police.

The alien, being of the Korean race, is ineligible for citizenship under section 303 of the Nationality Act of 1940 and is thus inadmissible to the United States for permanent residence under section 13 (c) of the Immigration Act of 1924. Whether the alien should be granted relief through the enactment of special legislation presents a question of legislative policy concerning which this Department prefers not to make any recommendation.

Yours sincerely,

PEYTON FORD,
Deputy Attorney General.

The committee files also contain the following report, dated June 1, 1950, from the Chief of the Visa Division, Department of State:

DEPARTMENT OF STATE,
Washington, June 1, 1950.

Hon. EMANUEL CELLER,
House of Representatives.

MY DEAR MR. CELLER: Reference is made to your letter of May 19, 1950, and its enclosure, wherein you requested the views of this Department concerning the enactment of H. R. 8302, a bill for the relief of Jai Young Lee, and to the Department's interim reply thereto dated May 22, 1950.

Information contained in the files of the Department indicates that the beneficiary of the proposed bill is the minor child by a previous marriage of Mrs. Frank

Lee, wife of an American citizen ex-serviceman. It is further indicated that the child, being of the Korean race, is ineligible to citizenship as defined in section 28 (c) of the Immigration Act of 1924, as amended, and as her case does not fall within the purview of the exceptions provided in section 13 (c) of the above-cited act, she may not be issued an immigration visa for the purpose of applying for admission into the United States for permanent residence. It further appears that efforts have been made by Mr. and Mrs. Lee and other interested persons in this country to persuade the American consular officer at Seoul, Korea, to consider the child's application for a temporary visitors visa in accordance with the provisions of section 3 (2) of the Immigration Act of 1924, as amended, but that the responsible consular officer has concluded in considering all the facts in the case that the child is not classifiable as a bona fide temporary visitor.

In the circumstances, and in the light of the foregoing information, the question of the enactment of the proposed legislation appears to be a matter for legislative determination, concerning which the Department prefers not to express an opinion.

Sincerely yours,

H. J. L'HEUREUX,
Chief, Visa Division
(For the Secretary of State).

The committee, upon consideration of all the facts in this case, is of the opinion that H. R. 2292, as amended, should be enacted and it accordingly recommends that the bill do pass.

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